

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

TONYA KING,

Plaintiff,

v.

ACTION NO. 2:16cv610

NANCY A. BERRYHILL,
Acting Commissioner,
Social Security Administration,

Defendant.

FINAL ORDER

Plaintiff brought this action under 42 U.S.C. § 405(g), seeking judicial review of the decision of the Acting Commissioner of the Social Security Administration ("Commissioner") denying plaintiff's claim for a period of disability and disability insurance benefits ("DIB") under Title II of the Social Security Act.

On December 28, 2016, this matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure for report and recommendation. Report of the magistrate judge was filed on December 19, 2017, recommending plaintiff's Motion for Summary Judgment be denied and defendant's Motion for Summary Judgment be granted. By copy of the report, each party was advised of the right to file written objections to the findings and

recommendations made by the magistrate judge. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired.

The court does hereby adopt and approve the findings and recommendations set forth in the report of the United States Magistrate Judge filed December 6, 2017. Accordingly, plaintiff's Motion for Summary Judgment is **DENIED**, the defendant's Motion for Summary Judgment is **GRANTED**, and the final decision of the Acting Commissioner is **AFFIRMED**.

The Clerk shall forward a copy of this Order to counsel for the parties.

/s/

Rebecca Beach Smith
Chief Judge

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REBECCA BEACH SMITH
CHIEF JUDGE

January 9, 2018